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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,580	12/21/2001	Sunil K. Gupta	29250-000550	1242

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EXAMINER
VO, HUYEN X

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 August 2006*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,7-11,13,14 and 22-24* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,7-11,13,14 and 22-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12/21/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-2, 7, and 22-24 are rejected under 35 U.S.C. 102(e) as being

anticipated by Everhart et al. (US 6587824).

3.   Regarding claim 1, Everhart et al. disclose a method of recognizing speech so as

to modify a currently active vocabulary, comprising:

receiving an utterance from a user (*element 76 in figure 6*);

comparing said received utterance to a stored recognition vocabulary

representing a currently active vocabulary (*element 78 in figure 6*); and

dynamically modifying the stored recognition vocabulary based on said

comparison to improve recognition accuracy for a subsequently received utterance

(*elements 86-90 in figure 6*), wherein said dynamically modifying includes enabling the

user to create a replacement command word that is stored in the stored recognition

vocabulary as a replacement command word corresponding to the received utterance,

(*col. 7, line 28 to col. 8, line 26, particularly col. 8, lines 17-24*).

4.   Regarding claim 22, Everhart et al. disclose a method of customizing a command

recognition device, comprising:

      receiving a spoken utterance from a user intended to trigger one of a plurality of

pre-set commands, each of the plurality of pre-set commands stored in association with

a given audio signature (*col. 5, lines 10-32*);

      comparing the spoken utterance with the audio signature of each of the plurality

of pre-set commands (*element 78 in figure 6, speech recognizer must compare input*

speech with stored speech models), the comparison indicating a failure to match the

spoken utterance with at least the audio signature associated with the intended pre-set

command (*col. 7, lines 28-44*);

      replacing the audio signature associated with the intended pre-set command with

a replacement spoken utterance (*col. 7, line 28 to col. 8, line 26, particularly col. 8, lines*

17-24).

5.   Regarding claim 2, Everhart et al. further disclose the method of claim 1, wherein

the received utterance is received in a voiced dialog from the user (*element 76 in figure*

6, user in dialog with system), and the step of dynamically modifying the stored

recognition vocabulary is based on a current state of user interaction in the voice dialog

and on a recognition result (*col. 5, lines 10-44, appropriate voice command set is*

retrieved for recognition).

6.   Regarding claim 7, Everhart et al. further disclose the method of claim 1, said

step of comparing including comparing a speech template representing said received

utterance to said stored recognition vocabulary (*element 78 in figure 6*).

7.   Regarding claims 23-24, Everhart et al. further disclose the method of claim 22,

wherein the replacement spoken utterance is the received spoken utterance (*col. 8,

lines 17-24*), and wherein the replacement spoken utterance is a subsequently received

spoken utterance received after the received spoken utterance (*col. 7, line 28 to col. 8,

line 26, considering the current spoken utterance "train" or "learn word" in col. 7, line 32

and subsequent utterance is word needed to replace*).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 8-11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Everhart et al. (US 6587824) in view of Hedin et al. (US 6185535).

10.   Regarding claim 8, Everhart et al. disclose a speech recognition system,

comprising:

a client device receiving an utterance from a user (*element 76 in figure 6*);

the client device comparing said received utterance to a stored recognition vocabulary representing a currently active vocabulary (*element 78 in figure 6*), recognizing the received utterance and dynamically modifying the stored recognition vocabulary to improve recognition accuracy for subsequent received utterance, wherein the client device enables the user to create a replacement command word that is stored in the stored recognition vocabulary as a replacement command word corresponding to the received utterance, where the user's utterance was not recognized by the client device (*col. 7, line 28 to col. 8, line 26, particularly col. 8, lines 17-24*).

Everhart et al. fail to specifically disclose a server in communication with the client device. However, Hedin et al. teach a server in communication with the client device (*referring to figures 1a-b and 3*).

Since Everhart et al. and Hedin et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Everhart et al. by incorporating the teaching of Hedin et al. in order to improve speech recognition efficiency by providing a more powerful speech recognizer at the server to recognize words/commands that speech recognizer of the client device is not capable of recognizing.

11.   Regarding claims 9-10, Everhart et al. further disclose the step of dynamically modifying of the stored recognition vocabulary is dependent on a current state of user interaction in a voiced dialog of the user that includes the utterance and on a recognition

result from the comparison (*col. 5, lines 10-44, appropriate voice command set is retrieved for recognition*), and an application configured to dynamically modify the stored recognition vocabulary (*col. 7, line 28 to col. 8, line 26*).

12.   Regarding claim 11, Everhart et al. fail to specifically disclose the system of claim 8, the server further including a vocabulary builder application configured to dynamically modify the stored recognition vocabulary by sending data to client application. However, Hedin et al. teach the server further including a vocabulary builder application configured to dynamically modify the stored recognition vocabulary by sending data to client application (*col. 11, lines 41-46*).

Since Everhart et al. and Hedin et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Everhart et al. by incorporating the teaching of Hedin et al. in order to improve speech recognition accuracy of subsequent recognition of the same word.

13.   Regarding claim 14, Everhart et al. further disclose the system of claim 8, the client device further including a processor for comparing a speech template representing the received utterance to said stored recognition vocabulary to obtain a recognition result, wherein the processor controls the client application to modify the stored recognition vocabulary (*element 78 in figure 6*).

14.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Everhart

et al. (US 6587824) in view of Hedin et al. (US 6185535), as applied to claim 8, and

further in view of Kenevsky et al. (US 6161090).

15.   Regarding claim 13, the modified Everhart et al. fail to specifically disclose that

the server further including a database storing client-specific data that is updatable by

the client device. However, Kenevsky et al. further teach that the server further

including a database storing client-specific data that is updatable by the client device

(*col. 7, line 8 to col. 8, line 36, user's model*).

Since the modified Everhart et al. and Kenevsky et al. are analogous art because

they are from the same field of endeavors, it would have been obvious to one of

ordinary skill in the art at the time of invention to further modify Everhart et al. by

incorporating the teaching of Kenevsky et al. in order to provide a security level with an

arbitrary level of security with speech and speaker recognition technology and natural

language understanding. This global architecture has the advantage of being universal

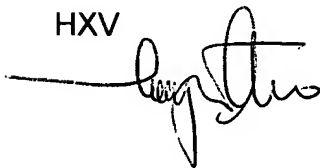and adaptable to substantially any situation.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631.

The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HXV   9/13/2006